



Docket No.: 1509-201

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

RUSHTON, NIGEL KEVIN

U.S. Patent Application No. 09/917,784

Filed: July 31, 2001

For: DATA TRANSFER DEVICE AND METHOD

:  
:  
: Confirmation No.1437  
:  
: Group Art Unit: 2651  
:  
: Examiner: ALAN FABER

#13/a  
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5.4.01

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

APR 22 2004  
Technology Center 2600

Sir:

Applicants respond to the March 22, 2004 restriction requirement by electing the species drawn to a magnetic medium. All claims read on the elected species. Consequently, consideration of all claims is in order. There are some dependent claims that recite magnetic medium as the alternative to other structures. Since these claims define a magnetic medium, and the alternative language includes the magnetic medium, these dependent claims are drawn to a magnetic medium, *inter alia*.

The Restriction Requirement notes that claim 1 is generic. In addition, the following claims are generic: 4-12, 14-31, 33, 35-43, and 45-61.

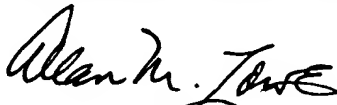
Early examination on the merits is courteously solicited.

Serial No. 09/917,784

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

**LOWE HAUPTMAN GILMAN & BERNER, LLP**

A handwritten signature in cursive script, appearing to read "Allan M. Lowe".

Allan M. Lowe  
Registration No. 19,641

1700 Diagonal Road, Suite 300  
Alexandria, Virginia 22314  
(703) 684-1111 AML/gmj  
Facsimile: (703) 518-5499  
April 20, 2004

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PRELIMINARY AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Preliminary to examination of the above-referenced application, please amend the application as follows:

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